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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHANG, JUNGWON

ART UNIT PAPER NUMBER

2154

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,264

Applicant(s)

PIETILA, ILMO

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-13 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, and 4-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Evans et al. (US 6,690,918), hereinafter referred to as Evans.
5. As to claim 1, Evans discloses the invention as claimed, including a system (fig. 1) for contact services (i.e., capability for person-to-person communication; col. 1, lines 15-26), the system including at least two contact devices (i.e., at least two users of two or more users operating communications devices; col. 2, lines 23-26; handheld device,

web-enabled cellular phone, 33, 42, 43, fig. 1; col. 4, lines 54-62; 11, 17, fig. 1; col. 5, lines 35-53), wherein each person (i.e., user) who uses at least one of the contact services has an own contact device (i.e., handheld device, web-enabled cellular phone, 33, 42, 43, fig. 1; col. 4, lines 54-62; 11, 17, fig. 1; col. 5, lines 35-53),

characterized in that each contact device belonging to the system (col. 4, lines 54-62; col. 5, lines 35-53) comprises:

means for storing at least one profile which describes the person (i.e., subscriber information; col. 5, lines 61-64; self (real) profile; col. 6, lines 5-8; personal data such as appearance, interests, hobbies, income, martial status; col. 8, lines 4-9) and person's requirements (i.e., priority criteria; col. 2, lines 32-35; threshold criteria; col. 8, lines 38-39; request profile (what users are looking for); col. 6, lines 5-8 and 45-47; user's desired attributes; col. 8, lines 9-12) (i.e., data repository, 31, fig. 1, is adapted to store user profiles and other data about users such as device identification, subscriber information; col. 5, line 61 – col. 6, line 7; col. 8, lines 4-12),

a low-powered short-range transmitter (i.e., short-wave radio technology; col. 2, lines 42-45; Bluetooth technology; col. 4, lines 36-39 and 54-62; LAN, 40, fig. 1, represents wireless coverage over somewhat localized areas such as 10 meters; col. 5, lines 15-21) for transmitting the person's profile to other persons' contact devices (i.e., communication devices to exchange profile information with each other; col. 2, lines 29-30; when any two of the devices come into short-wave radio range of each other...and the in-range devices swap profiles; col. 3, lines 16-20),

a receiver (i.e., communication tower; col. 5, lines 5-9; two-way radio; col. 5, lines

15-21) for receiving another persons' profiles from the another persons' contact devices (i.e., receiving profiles, each communications device receiving profiles from other participating communications devices; col. 2, lines 30-32; communication server is for storing profile information; col. 3, lines 38-41; data repository, 31, fig. 1, is adapted to store user profiles and other data about users such as device identification, subscriber information; col. 5, line 61 – col. 6, line 7; col. 10, lines 60-62),

means for comparing a profile received with the profile stored in the contact device (i.e., comparing the received profiles to local profiles stored on each of the participating communications devices; col. 2, lines 32-35; profile comparison and matching on behalf of the communications devices; col. 3, lines 33-36; col. 10, lines 63-66), and

means for signaling when the profile match (i.e., if a match, the device making the match beeps, vibrates, or alerts the user in some other fashion; col. 6, lines 47-53; col. 10, line 66 – col. 11, line 1).

6. As to claim 2, Evans discloses means for showing information in the contact device (i.e., the communications devices have a display screen; col. 2, lines 48-49; col. 3, lines 10-13; the matching profile is displayed on the device; col. 6, lines 50-51).

7. As to claim 4, Evans discloses means for adjusting matching percent which describes how similar the profiles compared have at least to result in signaling (i.e., applying flexible threshold criteria set by users for defining and accepting a match; col.

8, lines 35-48).

8. As to claim 5, Evans discloses the contact device is adapted to use the Bluetooth technique (i.e., Bluetooth technology; col. 4, lines 36-39 and 54-62).

9. As to claim 6, Evans discloses the low-powered short-range transmitter is able to transmit at most a distance of 10 meters (i.e., LAN, 40, fig. 1, represents wireless coverage over somewhat localized areas such as 10 meters; col. 5, lines 15-21; a range of only 10 meters (about 32 feet); col. 6, lines 54-57).

10. As to claim 7, Evans discloses the profiles compared have a standardized form (i.e., criteria for determining the level of interest and threshold; criteria set by users for defining and accepting a match; col. 8, lines 35-48).

11. As to claim 8, Evans discloses means for creating profiles (i.e., the two separate types of profiles, real and request profiles, are created by users; col. 6, lines 5-8; a user may create his or her own profiles; col. 8, lines 21-22).

12. As to claim 9, Evans discloses a contact server (i.e., communications server; col. 3, lines 36-41; host node; col. 3, lines 33-36; service provider, 27, fig. 1; file server, 29, fig. 1; col. 5, lines 54-67) which includes:

a receiver (i.e., communication tower; col. 5, lines 5-9) for receiving profiles (i.e.,

receiving profiles, each communications device receiving profiles from other participating communications devices; col. 2, lines 30-32),

means for storing profiles received (i.e., data repository, 31, fig. 1, is adapted to store user profiles and other data about users such as device identification, subscriber information; col. 5, line 61 – col. 6, line 7; col. 8, lines 4-12; communication server is for storing profile information; col. 3, lines 38-41),

means for comparing the profile stored and thus finding matching profiles (i.e., comparing the received profiles to local profiles stored on each of the participating communications devices; col. 2, lines 32-35; profile comparison and matching on behalf of the communications devices; col. 3, lines 33-36), and

means for transmitting matching information (i.e., if a match, the device making the match beeps, vibrates, or alerts the user in some other fashion; col. 6, lines 47-53).

13. As to claim 10, Evans discloses the contact device is adapted to receive other information than profiles from the contact server (i.e., Internet enhancement enables remote users to browse locations and associated profiles in order to determine which locations are good meeting places; col. 7, lines 13-16).

14. As to claim 11, Evans discloses the system further comprises at least one profile mediator (i.e., Internet service provider, 49, fig. 1 illustrated within intermediary wireless network, 47, fig. 1, ISP, 37, fig. 1). The profile mediator (i.e., Internet service provider, 37, 49, fig. 1) transmits the profile received from the contact device to the contact server

(27, 29, fig. 1) (i.e., contact device (palm device, 43, fig. 1) may access contact server (Internet, 25, fig. 1) via the profile mediator (i.e., Internet service provider, 49, fig. 1); col. 4, line 63 – col. 5, line 11).

15. As to claim 12, Evans discloses the profile mediator is adapted to communicate bi-directionally with the contact server (i.e., Internet access line, 37, 41, fig. 1; col. 5, lines 2-11).

16. As to claim 13, it is rejected for the same reasons set forth in claims 9 and 11.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans et al. (US 6,690,918), in view of Boyd (US 2002/0194049).

19. As to claim 3, Evans discloses authentication (i.e., once logged in and authenticated; col. 8, lines 57-58; the user is authenticated through encryption).

However, Evan does not specifically use terms encrypting and decrypting profiles. Boyd

discloses means for encrypting and decrypting profiles (i.e., cryptographic processor, 202, fig. 2 is programmed to encrypt, decrypt and authenticate the stored data...user's name may be encrypted in the profile database, 213, fig. 2; page 9, [0092]; when CPU, 301, fig. 3 receives encrypted data, CPU, 301, fig. 3 transmits the encrypted data to cryptographic processor, 305, fig. 3 for decryption; page 9, [0095], lines 9-14; page 9, [0100]; page 15, claim 77). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Evans and Boyd because Boyd's encrypting and decrypting profiles would enhance the security of the personal data stored in Evans's system by efficiently protecting privacy and confidentiality of user's information.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

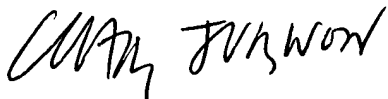
Olivier, patent 6,480,885, Collins, patent 5,963,951, Risemberg, patent 5,920,845, Walker et al, patent 5,884,272, Buckwalter et al, patent 6,735,568, Durand et al, patent 6,272,467 disclose method and apparatus for on-line dating service by exchanging subscriber information including personal preferences to determine the mutual matching within a group.

21. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Jungwon Chang'.

JWC
October 1, 2004